

**REMARKS**

Claims 1, 9, 14, and 19-22 are currently pending in the present application, with Claims 1, 9, and 14 being amended, Claim 2-8, 10-13, and 15-18 being canceled, and Claim 19-22 being added. Reconsideration and reexamination of the claims are respectfully requested.

The Examiner rejected Claims 1-18 under 35 U.S.C. § 102(b) as being anticipated by the owner's manual of the Roland VS-1680 Digital Studio Workstation ("Roland"). This rejection is moot with respect to the canceled claims, and respectfully traversed with respect to the amended claims.

The present invention is directed to multi-track recording/reproducing devices (and computer program for using with) for recording and reproducing (or otherwise known as monitoring) soundtracks. In accordance with the claimed inventions, the recording tracks and mute tracks are set independently of each other. That is, each track is set to a recording ON state or a recording OFF state, and also to a mute ON state or a mute OFF state. The number of tracks available for simultaneous reproduction is determined based on the number of tracks set to the recording ON state. In accordance with the preferred embodiments as claimed, the number of tracks to be set to the mute OFF state is automatically limited when the number of tracks set to the recording ON state is increased and the determined number of tracks available for simultaneous reproduction decreases below the number of tracks set to the mute OFF state. That is, if the number of tracks to be used for simultaneous recording (i.e., tracks set to the recording ON state) is increased, the number of tracks available for simultaneous reproduction is decreased by automatically changing at least predetermined one of tracks from the mute OFF state to the mute ON state as required.

In other words, the number of tracks to be used for simultaneous recording can be increased irrespective of the number of the tracks available for simultaneous reproduction (set to the mute

OFF state). On the other hand, the number of tracks to be used for simultaneous reproduction (set to the mute OFF state) cannot be increased above the upper limit determined by the number of tracks to be used for simultaneous recording (i.e., tracks set to the recording ON state).

The present invention allows for prioritization of the tracks when a plurality of tracks are to be used for simultaneous recording, the setting of tracks for simultaneous recording supersedes the setting of tracks for simultaneous reproduction.

Roland fails to disclose or suggest limiting the number of tracks to be set to the mute OFF state by automatically changing the tracks that were preset to the mute OFF state to mute ON state, while inhibiting setting the number of tracks to more than the determined number of tracks available for simultaneous reproduction to the mute OFF state.

Rather, Roland discloses switching the condition "SOURCE", "REC", "PLAY", or "OFF" for each track each time the STATUS button is pressed, without specifying the track condition of REC or SOURCE for more than eight tracks (see page 36, lines 1 – 21 of left column). That is, Roland merely limits the number of tracks in which the track condition of REC or SOURCE is specified irrespective of the setting of tracks to be used for simultaneous recording or the setting of tracks to be used for simultaneous reproduction.

Applicants respectfully submit that the features of the present invention, as amended to the claims, are not disclosed by, nor inherently understood from, Roland. Accordingly, Applicants respectfully submit that Claims 1, 9, and 14 are not anticipated by, nor obvious in view of, Roland.

New Claims 19-22 have been added to claim additional aspects of the present invention, and are respectfully submitted as in condition for allowance.

In view of the above, each of the presently pending claims in this application is believed to be in condition for allowance. If it is determined that a telephone conversation would expedite the

prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **393032027300**. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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